THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.19488 of 2006

Date: 17-01-2007.

Between :

M/s.Kolluru Liquor Syndicate, Kolluru, rep. by Ghanta Narendra.

.....Petitioner

And

Commissioner of Income Tax (Appeals), Guntur & another.

.....Respondents.

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.19488 of 2006

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the petitioner and the learned Government Pleader.

It appears that an appeal is pending before the appellate authority being appeal No.0050/05-06. This writ petition has been filed by the assessee, seeking a direction to the respondents to dispose of the appeal, but the petitioner has also prayed that the appeal be disposed of after furnishing the copies of the documents for which a request had been made by petitioner in his letters dated 12.12.2005, 27.02.2006, 08.03.2006 and 05.05.2006. The learned counsel for respondents has drawn our attention to one of the letters, dated 14.12.2005, in which the petitioner was informed, *"It is hereby clarified that you can have a look at the documents with the Assessing Officer and also take copies of the said documents which you feel necessary"*. Even after such information,

according to the respondents, the petitioner never approached them and it is only to delay the disposal of appeal that this writ petition had been filed.

In this factual situation, we dispose of the writ petition directing the petitioner to approach the respondents with a request for copies of documents within ten days, and after giving him the documents, the respondents may dispose of the appeal within one month thereafter. If the petitioner does not approach the respondents within ten days for the documents, the respondents shall not be bound to furnish any copies of the documents.

With these directions, the writ petition is disposed of.

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BILAL NAZKI, J

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NOOTY RAMAMOHANA RAO, J

17th January 2007.

N.B:
Furnish copy in two days.

(B/o)

ajr